

of appeal was also jurisdictional. In the old law in some places it used to be jurisdictional. All right, let's talk about a specific case because it is justice in a specific case that we are talking about. That is the whole reason the retroactive clause is there. The NRDs are in a fight with a landowner. They argued the case on the substance of the matter and they decided that the landowner got three or four times as much money as the NRD was willing to offer. That is how stingy the NRD was being about it. They lost the case on the substance, big settlement against them. So it was appealed to the Supreme Court but the statutes were unclear as to the filing of the notice of petition, who has to file it. We clarified that in this law. Was it filed in a timely manner? The NRD then turns around and says to the Supreme Court, throw this judgment out. Throw this landowner out of court and he doesn't get anything but what the county court gave him because, not because he is wrong on the substance, but we want you to throw him out because the filing of the petition was jurisdictional. He didn't do it. He got caught in the lawyer's trap and too bad for the landowner. That is basically what the NRDs are asking you to do by deleting this amendment. They are asking you to allow them to argue to the Supreme Court that they should throw out the landowner because he didn't file the petition in a timely manner and that is jurisdictional. Now that is what this is all about. If that is what you want to do, if you want to save the NRDs some money or give them a chance to if the Supreme Court buys the jurisdiction argument, then you can delete the retroactive aspect. But other than that, all the retroactive aspect is saying is that for all of you who were caught in this lawyer's trap, the untimely filing of a petition that wasn't clearly set out in the statutes as to who files it, if you want to allow those people who have been caught in that trap to stay caught in that trap, and there is only one that I know of, you can do it. You can delete that retroactive aspect. But if you want justice to apply in the past with regard to technicalities, if you want that decision to be made on its merits as opposed to procedural technicalities, then you should make it retrospective. Thank you.

SENATOR CLARK: Senator Vickers.

SENATOR VICKERS: Mr. President, and members, I rise to support Senator Sieck. I just don't believe that it is a good idea for this body to pass laws to change the rules in the middle of a ball game. It seems to me that our changes in our law should be prospective only and